

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA

NICOLAS BELL,)	Case No. 20-cv-1393-WMW-KMM
)	
Plaintiff,)	
)	
v.)	Judge Wilhelmina M. Wright
)	
UNION PACIFIC RAILROAD COMPANY,)	
)	
Defendant.)	

DEFENDANT UNION PACIFIC'S MOTION TO DISMISS

Defendant Union Pacific Railroad Company (“Union Pacific”) respectfully requests that this Court dismiss Plaintiff’s Complaint pursuant to Federal Rule of Civil Procedure 12(b)(6). Specifically, this case should be dismissed in its entirety under Rule 12(b)(6) for failure to state a claim upon which relief may be granted. In support of this Motion, Union Pacific incorporate herein and rely upon the Memorandum of Law in Support of its Motion to Dismiss, as well as other supporting exhibits, to be filed in accordance with the Local Rules.

WHEREFORE, Defendant Union Pacific Railroad Company respectfully requests that the Court dismiss the Complaint with prejudice.

Dated: June 30, 2020

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CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that a true and correct copy of the above and foregoing instrument was properly forwarded to all counsel of record as listed below by:

- United States Mail, postage prepaid and sealed;
- United States Certified Mail, postage prepaid and return receipt requested;
- Hand Delivery;
- UPS / Next Day Air;
- Facsimile Transmission;
- Local Rule 5.1 Electronic Case Filing (U.S.D.C., MN); and/or
- Fed. R. Civ. P. 5(b)(2)(e) Electronic Service (pdf)

on June 30, 2020.

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s/ Sarah-Joël M. Privert
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